

BOARD OF APPEAL REFERRALS

SEPTEMBER 8, 1977

1. Z-3921 Nazareth
420 Pond Street, Jamaica Plain
2. Z-3927 John H. Sawyer, Jr.
334-330 Bunker Hill Street, Charlestown
3. Z-3928 Joslin Diabetes Foundation, Inc.
360 Longwood Avenue, Boston
4. Z-3929 Frederick Lebow and Will Morin
424 Cambridge Street, Allston
5. Z-3930 George Middleton VFW Post
3112 Washington Street, Jamaica Plain
6. Z-3931 Edgerson, Inc.
151 Hallet Street, Dorchester
7. Z-3932 Ramada Inns, Inc.
225 William F. McClellan Highway, East Boston
8. Z-3933 Sherrill House, Inc.
135 South Huntington Avenue, Jamaica Plain
9. Z-3934 Boston Redevelopment Authority
731 Harrison Avenue, Boston *withdrawn*
10. Z-3935 MBM Realty Trust
132 Granite Avenue, Dorchester
11. Z-3936 Elias and Constantina, Inc.
Boston Five Cents Savings Bank (lessee)
293-299 Cambridge Street, Boston
12. Z-3966 Sherwood Realty Corp.
96-100 South Street, Boston
13. Z-3979 Bell Realty Trust
240 Lincoln Street, Brighton

MEMORANDUM

September 8, 1977

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert F. Walsh, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 9/13/77 Petition No. Z-3921
 Nazareth
 420 Pond Street, Jamaica Plain
 near Avon Street

Children's home complex - single-family (S-.3) district.

Proposal: to change occupancy from children's home and administrative facilities to children's home, administrative facilities, and day care center.

Violations:

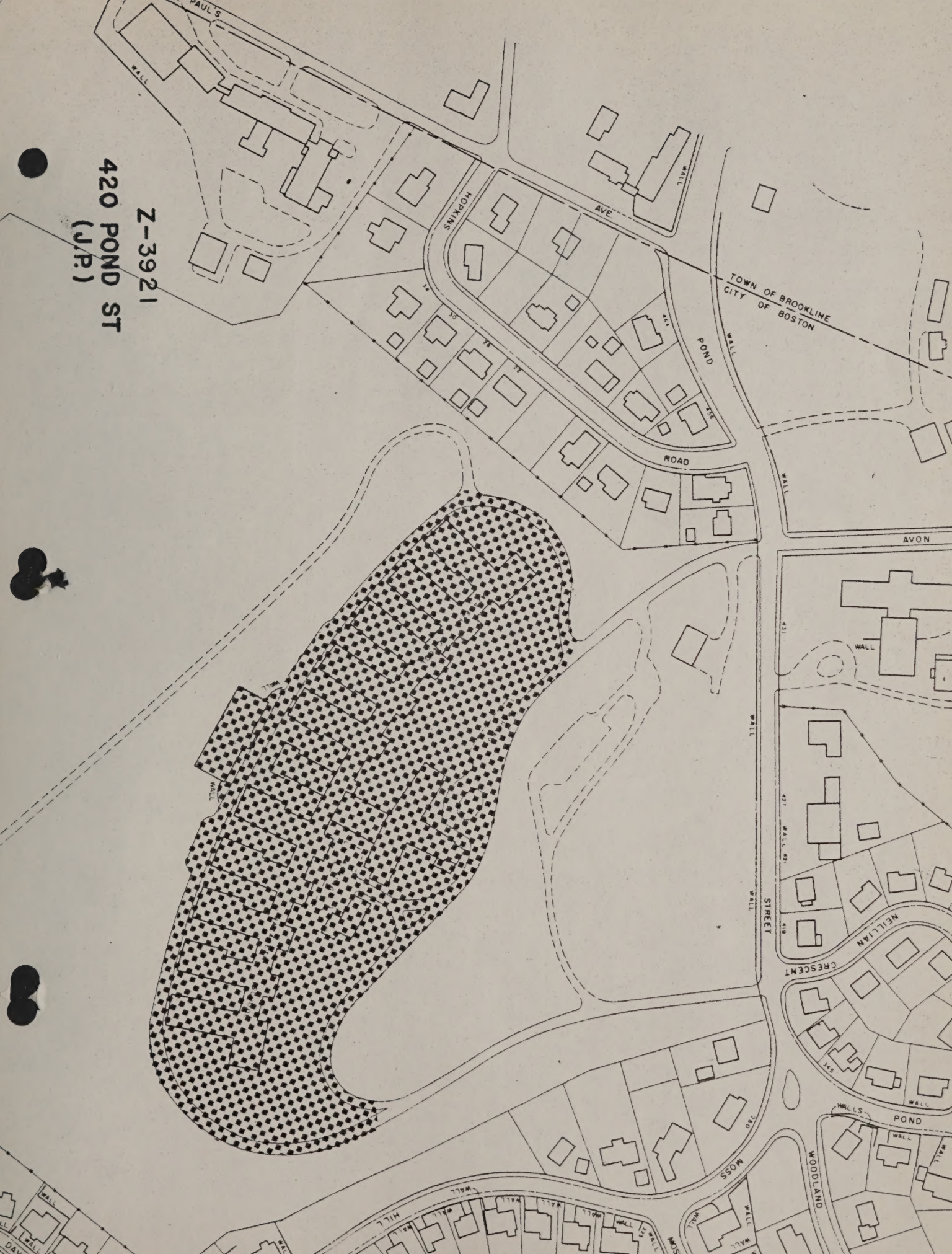
Section 8-7. A day care center is conditional in an S-.3 district.

Section 9-2. A change in a nonconforming use requires Board of Appeal hearing.

Day care facilities would accommodate 50 children. Sufficient play space and off-street parking are existing. No structural changes. Recommend approval.

VOTED: In reference to Petition No. Z-3921, brought by Nazareth, 420 Pond Street, Jamaica Plain, for a conditional use and a change in a nonconforming use for a change of occupancy from children's home and administrative facilities to children's home, administrative facilities, and day care center in a single-family (S-.3) district, the Boston Redevelopment Authority recommends approval. Proposal complies with requirements for conditional use.

Z-3921
420 POND ST
(J.P.)



Board of Appeal Referrals 9/8/77

Hearing: 9/20/77

Petition No. Z-3927

John H. Sawyer, Jr.

324-330 Bunker Hill Street, Charlestown
at Mead Street

11,700 square feet of land - apartment (H-1) district.

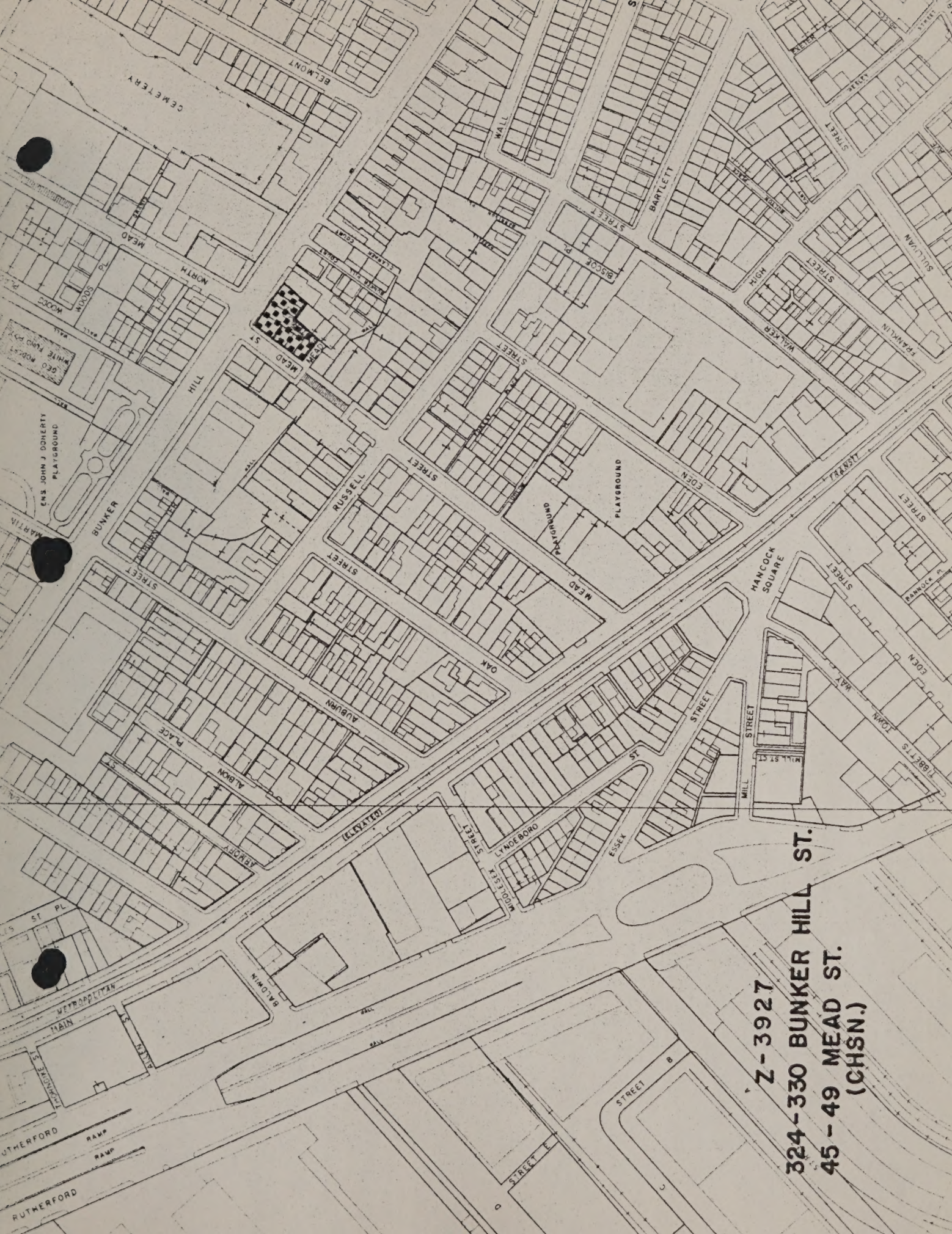
Purpose: to use premises for ancillary parking - no fee; to eliminate
proviso of previous Board of Appeal decision.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. Ancillary parking is forbidden in an H-1 district.		
Section 18-1. Front yard is insufficient (Bunker Hill Street).	25 ft.	0
Section 18-4. Front yard is insufficient (Mead Street).	13 ft.	5 ft.

In May 1976, petitioner received approval from Board of Appeal for ancillary parking with a design review proviso; the Authority concurred. In its decision, the Board of Appeal stated "that some screening and landscaping is necessary, and rather than specify, it is left to the design review process to develop." This proviso must be retained so that the use will be compatible with residential properties in the area and the urban renewal process remain viable. Recommend denial.

VOTED: In reference to Petition No. Z-3927, brought by John H. Sawyer, 324-330 Bunker Street, in the Charlestown Urban Renewal Area, for a forbidden use and two variances to use premises for ancillary parking and eliminate proviso of previous Board of Appeal decision in an apartment (H-1) district, the Boston Redevelopment Authority recommends denial. This proviso must be retained so that the use will be compatible with residential properties in the area and the urban renewal process remain viable.



Z-3927
324-330 BUNKER HILL ST.
45-49 MEAD ST.
(CHSN.)

Board of Appeal Referrals 9/8/77

Hearing: 9/20/77

Petition No. Z-3928
Joslin Diabetes Foundation, Inc.
360 Longwood Avenue, Boston
at Brookline Avenue

Medical complex - apartment (H-2) and local business (L-1) districts.

Purpose: to erect attendant's booth and accessory signs for parking lot.

Violation:

Section 7-4. Attendant's booth and accessory signs are contrary to previous Board of Appeal decision.

Accessory parking allowed by previous Board of Appeal decision. Current proposal would provide 30 parking facilities charging a fee. Attendant is necessary to regulate use. Recommend approval with provisos.

VOTED: In reference to Petition No. Z-3928, brought by Joslin Diabetes Foundation, Inc., 360 Longwood Avenue, in the Fenway Urban Renewal Area, for a variance to erect an attendant's booth and accessory signs for parking lot in apartment (H-2) and local business (L-1) districts, the Boston Redevelopment Authority recommends approval with the following provisos: that the attendant's booth be set back at least 20 feet from rear of sidewalk; that plans be submitted to the Authority for design review.



Z-3928

360 LONGWOOD AVE
(B.P.)

4

Board of Appeal Referrals 9/8/77

Hearing: 9/20/77

Petition No. Z-3929
Frederick Lebow and Will Morin
424 Cambridge Street, Allston
near Union Square

One-story masonry structure - general business (B-1) district.

Purpose: to change occupancy from furniture shop and sales to sales, service, consulting - audio-video equipment - and vocational school.

Violation:

Section 8-7. A trade school is conditional in a B-1 district.

Proposal would allow a lessee to conduct evening courses in music recording and audio engineering. Adequate off-street parking is existing. Property has been substantially improved by appellant.
Recommend approval with provisos.

VOTED: In reference to Petition No. Z-3929, brought by Frederick Lebow and Will Morin, 424 Cambridge Street, Allston, for a conditional use for a change of occupancy from furniture shop and sales to sales, service, consulting, audio-video equipment, and vocational school in a general business (B-1) district, the Boston Redevelopment Authority recommends approval with the following provisos: that classes begin no earlier than 7:00 p.m. (to avoid the rush hour); that enrollment be limited to 25 students per session.



Z-3929

424 CAMBRIDGE ST.
(BRI.)

RAILROAD

STATION

POST

OFFICE

FREE

STATION

WALL

WALL

WALL

Board of Appeal Referrals 9/8/77

Hearing: 9/20/77

Petition No. Z-3930
 George Middleton VFW Post
 3112 Washington Street, Jamaica Plain
 near School Street

One-story masonry structure - apartment (H-1) and general business (B-1 and B-2) districts.

Purpose: to change occupancy from store to private club.

Violations:

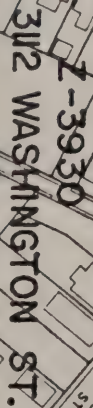
	<u>Required</u>	<u>Proposed</u>
Section 8-7. A private club providing parking within required front yard is forbidden in an H-1 district.		
Section 10-1. Parking not allowed within required front yard in an H-1 district.		
Section 23-2. Off-street parking is insufficient.	40 spaces	4 spaces

Parking deficiency would further intensify excessive curb parking demands and tend to create hazardous conditions in this congested neighborhood.

Elgeston Square merchants and community residents are opposed.

Recommend denial.

VOTED: In reference to Petition No. Z-3930, brought by George Middleton VFW Post, 3112 Washington Street, Jamaica Plain, for a forbidden use and two variances for a change of occupancy from store to private club in apartment (H-1) and general business (B-1 and B-2) districts, the Boston Redevelopment Authority recommends denial. Parking deficiency would further intensify excessive curb parking demands and tend to create hazardous conditions in this congested neighborhood. Egleston Square merchants and community residents are opposed.



3)

Board of Appeal Referrals 9/8/77

Hearing: 9/13/77

Petition No. Z-3931
Edgerson, Inc.
151 Hallet Street, Dorchester
near Hilltop Street

Five-story masonry structure - industrial (I-2) district.

Purpose: to change occupancy from manufacture of toys and cameras to
223 units of elderly housing.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. Multi-family dwelling is forbidden in an I-2 district.		
Section 23-1. Off-street parking is insufficient.	166 spaces	116 spaces

Proposed development is compatible with adjacent residential neighborhood and is supported by leaders of the Cedar Grove Civic Association and St. Brendan's Parish. Public transportation and shopping facilities are proximate to the site. Recommend approval.

VOTED: In reference to Petition No. Z-3931, brought by Edgerson, Inc., 151 Hallet Street, Dorchester, for a forbidden use and a variance for a change of occupancy from manufacture of toys and cameras to 223 units of elderly housing in an industrial (I-2) district, the Boston Redevelopment Authority recommends approval with the following provisos: that the use be restricted to elderly occupancy only and that plans be submitted to the Authority for design review. Plans should include relation of site with riverfront, landscaping, screening of expressway, architectural treatment of building facade, and off-street parking.



HARTFORD

NEW HAVEN

HALLET

PARKING

PARKING

PARKING

PARKING

JOHN MC KEON
SQUARE

HALLET-DAVIS

STREET

NEW YORK
STREET

Z-3931
151 HALLET ST.
(DOR.)

PRAZEN

BELTON

STREET

STREET

LEONARD
GROVE

STREET

WHITRIDGE

ROAD

ROAD

RITA

BRENDAN

AVENUE

AVENUE

AVENUE

AVENUE

ILTON

SAINT

CROCKETT

ROCKNE

SAINT BRENDAN'S
ROMAN CATHOLIC
CHURCH

SCHOOL

Board of Appeal Referrals 9/8/77

Hearing: 9/20/77

Petition No. Z-3932
Ramada Inns, Inc.
225 William F. McClellan Highway,
East Boston
near Addison Street

Twelve-story motel - industrial (I-2) district.

Purpose: to erect two wall signs on motel structure.

Violations:

Section 11-2. Top of signs attached parallel to a building may be no higher than the top of the sills of first level of windows above first story.

Section 11-2. Total area of permanent signs on sign frontage exceeds maximum allowed.

Proposed identification signage would be located over 100 feet high, would create an unwanted precedent, and would not achieve its intended purpose as it would not be visible from the airport. Petitioner should confer with staff in an effort to resolve motel identify problem.
Recommend denial.

VOTED: In reference to Petition No. Z-3932, brought by Ramada Inns, Inc., 225 William F. McClellan Highway, East Boston, for a conditional use to erect two wall signs on a motel structure in an industrial (I-2) district, the Boston Redevelopment Authority recommends denial. Proposed signage would be located over 100 feet high, would create an unwanted precedent, and would not achieve its intended purpose as it would not be visible from the airport. Petitioner should confer with Authority staff in an effort to resolve motel identify problem.

Z - 3932

225 WM F McCLELLAN HWY.

(E.B.)



8

Board of Appeal Referrals 9/8/77

Hearing: 9/20/77

Petition No. Z-3933
Sherrill House, Inc.
135 South Huntington Avenue, Jamaica Plain
near Heath Street

Five-story masonry structure - residential (R-.8) district.

Purpose: to erect two-story addition to home for aged.

Violation:

Section 9-1. Extension of a nonconforming use requires Board of Appeal hearing.

Extension, to be used for dry food storage, will not impact the surrounding institutional properties in the immediate area. Visual appearance will remain essentially unchanged. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-3933, brought by Sherrill House, Inc., 135 South Huntington Avenue, Jamaica Plain, for an extension of a nonconforming use to erect a two-story addition to a home for the aged in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.



Z-3933

135 SOUTH HUNTINGTON AVE.

(B.P.)



Board of Appeal Referrals 9/8/77

Hearing 9/13/77

Petition No. Z-3934
Boston Redevelopment Authority
731 Harrison Avenue, Boston
near East Newton Street

Two-story structure - apartment (H-2) district.

Purpose: to change occupancy from school to artists' studios.

Violations:

Section 8-7. Artists' studios are forbidden in an H-2 district.

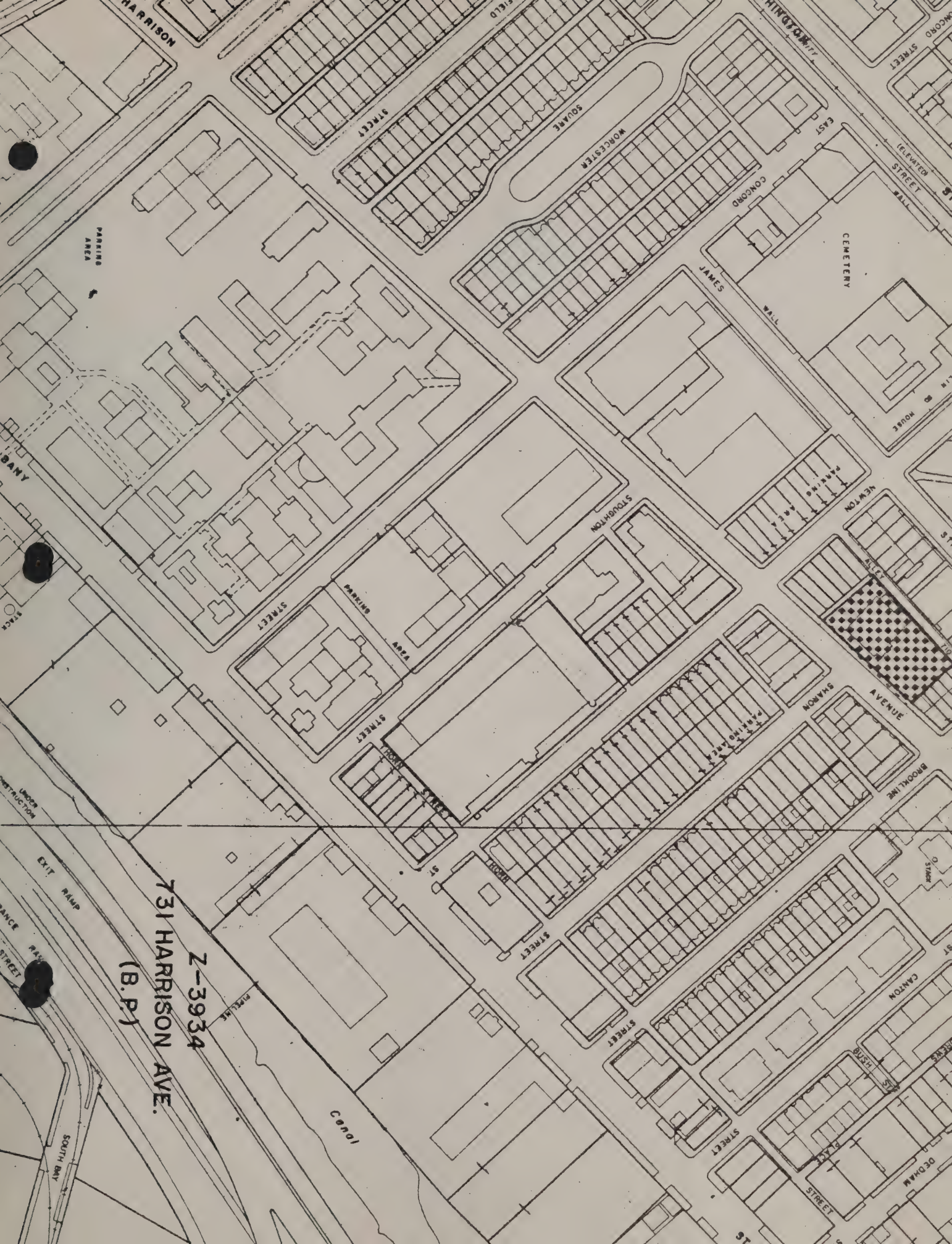
Section 8-7. Accessory parking is conditional in a restricted parking district.

Section 10-1. Off-street parking not allowed in required front yard nor within five feet of side lot line.

Prospective tenant, "Home Inc.", will occupy the facility (former Bates School) for six months for the establishment of community-oriented art programs. Mayor's Office of Cultural Affairs and the community support the proposal. Recommend approval.

VOTED: In reference to Petition No. Z-3934, brought by the Boston Redevelopment Authority, 731 Harrison Avenue, Boston, for a forbidden use, a conditional use, and a variance for a change of occupancy from school to artists' studios in an apartment (H-2) district, the Boston Redevelopment Authority recommends approval. Temporary use will provide community-oriented art programs.

with drawn



Z-3934
731 HARRISON AVE.
(B.P.)

Board of Appeal Referrals 9/8/77

Hearing: 9/13/77

Petition No. Z-3935
MBM Realty Trust
132 Granite Avenue, Dorchester
at Hilltop Street

One-story metal structure - residential (R-.5) district.

Purpose: to change occupancy from retail store to sale of typewriters and accessory repair; to erect one-story addition.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 9-1. Extension of a nonconforming use requires Board of Appeal approval.		
Section 10-1. Parking not allowed in required front yard nor within five feet of side lot line.		
Section 14-2. Lot area is insufficient.	11,000 sf	9,223 sf
Section 15-1. Floor area ratio is excessive	.5	.54
Section 19-1. Side yard is insufficient.	10 ft.	1 ft.
Section 19-6. Front yard is insufficient.	25 ft.	12 ft.

Proposal is an enlargement of an existing business, consistent with other commercial uses in the area. Cedar Grove Civic Association has voted support. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-3935, brought by MBM Realty Trust, 132 Granite Avenue, Dorchester, for an extension of a nonconforming use and five variances for a change of occupancy from retail store to sale of typewriters and accessory repair and to erect a one-story addition in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval provided plans inclusive of landscaping are submitted to the Authority for design review.



Z-3935
132 GRANITE AVE.
(DOR.)

Board of Appeal Referrals 9/8/77

Hearing: 9/13/77

Petition No. Z-3936
Elias and Constantina, Inc.
Boston Five Cents Savings Bank (lessee)
293-299 Cambridge Street, Boston
near Leverett Circle

Five-story structure - apartment (H-4) district.

Purpose: to change occupancy from eight apartments and two stores to eight apartments and bank.

Violations:

Section 9-2. A change in a nonconforming use requires Board of Appeal hearing.

Section 11-1. Number of signs and total area exceed maximum allowed.

Essentially, the petition would allow existing savings bank (15 years) to enlarge its facilities by renovating a former barber shop. Proposal will enhance this commercial-institutional area. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-3936, brought by Elias and Constantina, 293-299 Cambridge Street, Boston, for a change in a nonconforming use and a conditional use for a change of occupancy from eight apartments and two stores to eight apartments and bank in an apartment (H-4) district, the Boston Redevelopment Authority recommends approval provided signage plans are submitted to the Authority for design review. Proposal will enhance this commercial-institutional area.

Z-3936

293 CAMBRIDGE ST.
(B.P.)

BASIN



Board of Appeal Hearing 9/8/77

Hearing: 10/4/77

Petition No. Z-3966
Sherwood Realty Corp.
96-100 South Street, Boston
near East Street

Five-story structure - manufacturing (M-8) district.

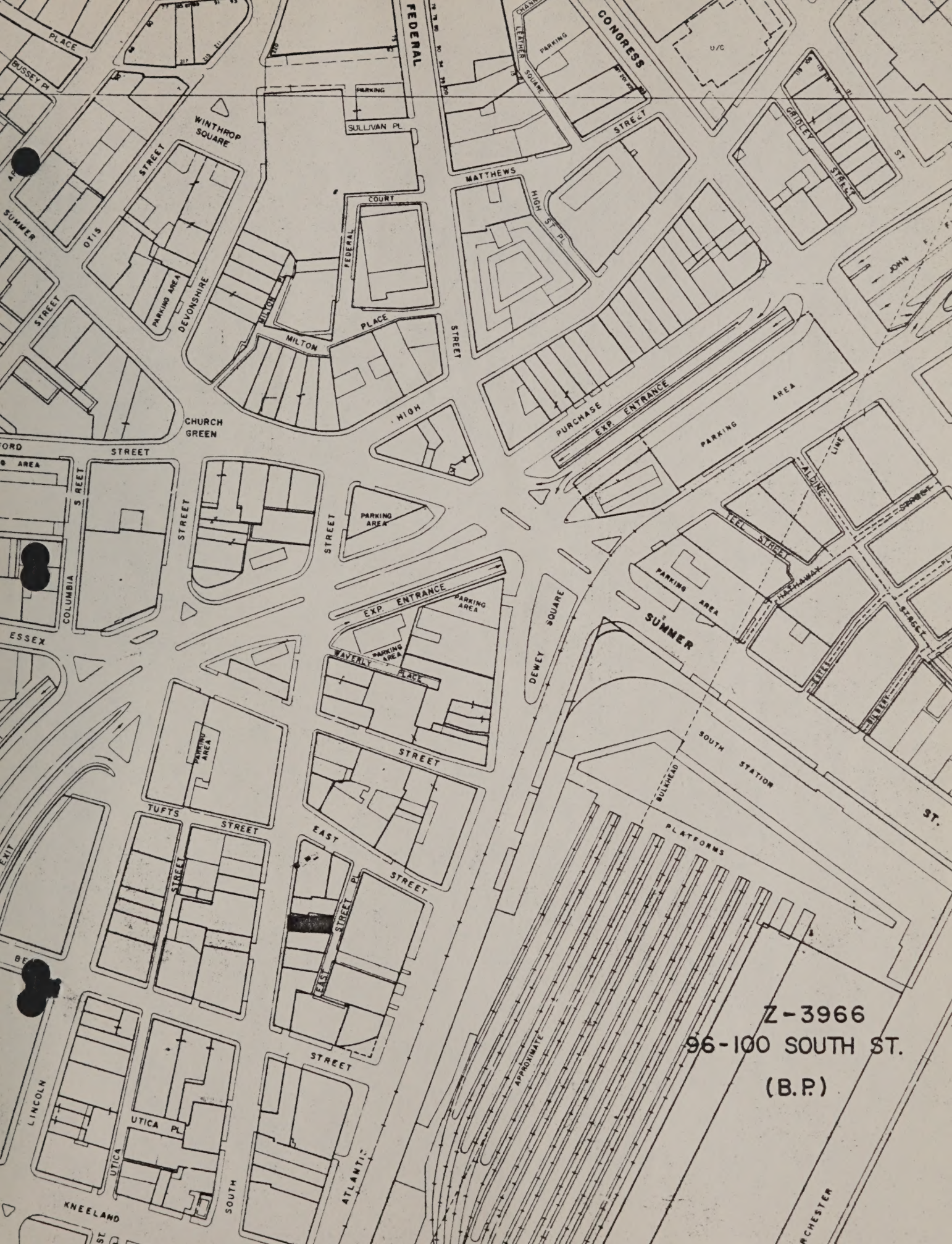
Purpose: to change occupancy from mercantile to offices, warehouse, artists' professional studios, dwellings, sales.

Violation:

Section 8-7. Three dwelling units are conditional in an M-8 district.

Proposal would provide needed space for artists and occupy otherwise vacant buildings. Prospective purchasers will live in and rehabilitate the structure. Recommend approval with provisos.

VOTED: In reference to Petition No. Z-3966, brought by Sherwood Realty Corp., 96-100 South Street, Boston, for a conditional use for a change of occupancy from mercantile to offices, warehouse, and artists' professional studios, dwellings, and sales in a manufacturing (M-8) district, the Boston Redevelopment Authority recommends approval with the following provisos: that the residential occupancy is limited to no more than 25 per cent of the floor area; that the units meet the Minimum Standards of Fitness for Human Habitation of the State Sanitary Code and minimum requirements of the Building Department for safe occupancy.



Z-3966
96-100 SOUTH ST.
(B.P.)

Board of Appeal Referrals 9/8/77

Hearing: 9/13/77

Petition No. Z-3979
Bell Realty Trust
240 Lincoln Street, Brighton
near Everett Street

47,968 square feet of land - residential (R-.8) district.

Purpose: to erect two-story structure for contractor's office, accessory parking, and vehicle maintenance; outdoor storage of used building materials; to erect six-foot screened fence.

Violations:

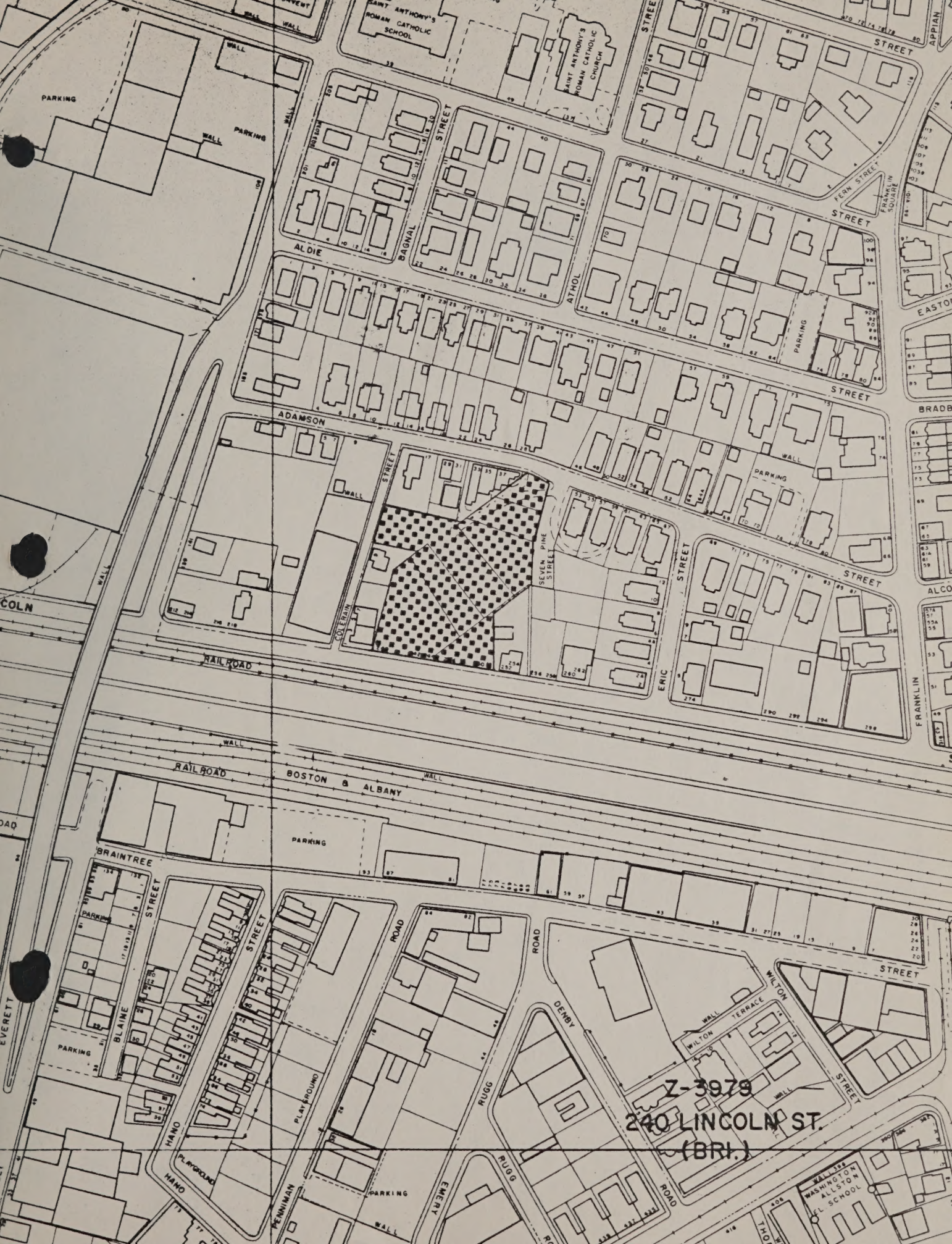
Section 8-7. A contractor's office, accessory indoor parking, and maintenance of contractor's vehicles are forbidden in an R-.8 district.

Section 8-7. Outdoor storage of second-hand lumber or other used building material is forbidden in an R-.8 district.

Section 18-1. No fence or wall over five feet in height may be erected in required front yard.

Proposed use, with attendant activity and heavy commercial traffic, would have a detrimental effect on surrounding residential neighborhood. Community is strongly opposed. Recommend denial.

VOTED: In reference to Petition No. Z-3979, brought by Bell Realty Trust, 240 Lincoln Street, Brighton, for two forbidden uses and a variance to erect a two-story structure for contractor's office, accessory parking, and vehicle maintenance and to use premises for outdoor storage of used building materials and erect a six-foot fence in a residential (R-.8) district, the Boston Redevelopment Authority recommends denial. Proposed use, with attendant activity and heavy commercial traffic, would have a detrimental effect on surrounding residential neighborhood. Community is strongly opposed.



Z-3979
240 LINCOLN ST.
(BRI.)

